



DEPARTMENT OF CONSERVATION

OFFICE OF MINE RECLAMATION

801 K STREET • MS 09-06 • SACRAMENTO, CALIFORNIA 95814

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WORKING DRAFT

September 30, 2009

Environmental Management Support, Inc.

Attn: Mr. Don West

8601 Georgia Avenue, Suite 500

Silver Spring, MD 20910

SUBJECT: BROWNFIELDS CLEANUP GRANT APPLICATION FOR THE PLUMAS-EUREKA STATE PARK JAMISON CREEK DAY USE AREA

- a. Applicant: California Department of Conservation
801 K St., MS 09-06, Sacramento, CA 95814
- b. Funding Request:
 - i) Grant Type: Cleanup
 - ii) Federal Funds Requested: \$200,000
 - iii) Contamination: Hazardous Substances
- c. Location to be served: Plumas County
- d. DOC Contact: Cy R. Oggins, Manager
Abandoned Mine Lands Unit
California Department of Conservation
cy.oggins@conservation.ca.gov
(916) 323-9204
- e. Date to be submitted: October 16, 2009
- f. Project Period: 3 years
- g. Cooperative Partners: Department of Parks and Recreation
Department of Toxic Substances Control

THRESHOLD CRITERIA

1. Applicant Eligibility

a. Eligible Entity

The California Department of Conservation (DOC) is an agency of the State of California.

b. Site Ownership

The California Department of Parks and Recreation (State Parks) purchased the site in 1959 and holds fee simple title with a recorded deed. State Parks will continue ownership of the property and will continue to hold title to this property after all cleanup work funded by the grant has been completed and the grant is closed out.

2. Letter from State Authority

A letter of support from the California Department of Toxic Substances Control (DTSC) will be attached.

3. Site Eligibility and Property Ownership Eligibility

a. Basic Site Information

- 1) **Name of Site:** Plumas-Eureka State Park Jamison Creek Day Use Area (JCDDUA)
- 2) **Address:** Plumas-Eureka State Park, 310 Johnsville Road, Blairsden, CA 96103-9744
- 3) **Current Owner:** California Department of Parks and Recreation

b. Status and History of Contamination at the Site

- 1) **Site Contamination:** Hazardous Substances
- 2) **Operational History and Current Use:** The main area of mining in what is now Plumas-Eureka State Park was discovered in May 1851. In the 1870s a mill was built near Jamison Creek to process sulphuret ore (ore with gold bound to sulfide minerals). This ore would have contained sulfide minerals, like pyrite (iron sulfide), arsenopyrite (arsenic sulfide), galena (lead sulfide) and sphalerite (zinc sulfide). Therefore, the tailings have elevated levels of metals such as lead and arsenic. The site is currently being used as a picnic area and includes handicapped-accessible facilities.
- 3) **Environmental Concerns:** Elevated levels of lead and arsenic have been measured in the JCDDUA.
- 4) **How the Site Became Contaminated/Nature and Extent of Contamination:** In the 1870s, a mill was built near Jamison Creek to process sulphuret ore (ore

bound with gold to sulfide minerals). This ore would have contained sulfide minerals such as pyrite, arsenopyrite, galena and sphalerite. Therefore, the tailings have elevated levels of metals such as lead and arsenic. The contamination from the sulphuret mill is located within the JCDUA.

c. Sites Ineligible for Funding

- 1) The site is not listed or proposed for listing on the National Priorities List.
- 2) The site is not subject to unilateral administrative orders, court orders, administrative orders on consent, or judicial consent decrees issued to or entered into by parties under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).
- 3) The site is not subject to the jurisdiction, custody, or control of the U.S. Government.

d. Sites Requiring a Property-Specific Determination

The site does not require a property-specific determination.

e. Environmental Assessment Required for Cleanup Proposals

The site was acquired in 1959, before any requirement was in effect for completion of a Phase I environmental assessment to determine the likelihood of toxic contamination at the property prior to acquisition. Specific site investigation information for the site is included in a document entitled "Inventory and Assessment of Abandoned Mines on California Agency-Owned Lands" (DOC, August 2009). This document includes inventory information on abandoned mine sites located on State-owned property as well as results of field investigation and sampling efforts on a limited number of high-priority sites, including the Plumas-Eureka JCDUA. In April 2008, soil samples were collected at the JCDUA and were analyzed for metals, including lead and arsenic. Inventory fieldwork was conducted by the DOC's Abandoned Mine Lands Unit, with sampling and analysis assistance by the DTSC.

f. CERCLA Section 107 Liability

The State is not liable for the contamination at the site under CERCLA Section 107. The disposal of hazardous substances occurred prior to the State's acquisition of the property and the State had no affiliation with any prior owners of the property. The site was acquired as a part of the acquisition of Plumas-Eureka State Park as a State historical park site.

g. Enforcement Actions

There are no ongoing or anticipated environmental enforcement actions involving the site.

h. Information on Liability and Defenses/Protections

- 1) **Information on the Property Acquisition:** State Parks purchased the property encompassing the current Jamison Creek Day Use Area from George T. Yonge, et ux., via a grant deed in 1959. The mineral rights were quitclaimed from C.A. Lundy et ux. to the Department of Parks and Recreation and recorded on the same day (June 8, 1960).
- 2) **Timing and/or Contribution toward Hazardous Substances Disposal:** All disposal of hazardous substances at the site occurred before the State acquired the property and the State did not cause or contribute to any release of hazardous substances at the site. The State has not, at any time, arranged for the disposal of hazardous substances at the site or transported hazardous substances to the site.
- 3) **Pre-Purchase Inquiry:** At the time of site acquisition (1959), there were no requirements for performance of a Phase I environmental assessment.
- 4) **Post-Acquisition Uses:** Since acquisition, the site has been a part of, and is completely located within, Plumas-Eureka State Park. The site was developed as a picnic area and has continued in use as a picnic area only since that time. No other uses have been made of the site; on users, other than the State, have been involved with the site.

4. Cleanup Authority and Oversight Structure

Oversight for cleanup at the site will be provided by the DTSC, lead State agency for CERCLA. There will not be any need to access neighboring properties in order to conduct the cleanup since the site is entirely on State property and surrounded by State property. Access to the site will be directly and completely over State property.

5. Cost Share

The 20 percent cost share obligation of the State under this grant would be \$40,000.

6. Community Notification

The State of California incorporates a high degree of public information and opportunities for public participation in all of its programs, projects and proposed projects. Mechanisms for this are in place and were utilized for community notification for this grant application. Listed below is a summary of the actions taken. Any public comments received and the State responses will be included in the final application.

- A draft grant application was prepared and made available on the DOC, State Parks and DTSC websites and at the visitor center at Plumas-Eureka State Park.
- A Notice of Public Workshop will be held on October 12, 2009 in the meeting room of the Mohawk Community Resources Center, 8989 Highway 89, Suite #4, Blairsden, California 96103. The notice, which indicated the location and availability of the draft proposal for review and comment, was placed as an ad in

four local newspapers: *Feather River Bulletin*, *Indian Valley Record*, *Chester Progressive*, and *Portola Reporter*. The notice was also displayed in other forms of State communication as described below.

- Information about this Brownfields Cleanup Application will be provided on the DOC's Abandoned Mine Lands Unit website (http://www.conservation.ca.gov/omr/abandoned_mine_land/Pages/Index.aspx), and may also be provided on the State Parks' and DTSC websites.
- Notices about the Public Workshop were posted in all four Plumas County weekly newspapers (*Feather River Bulletin*, *Indian Valley Record*, *Chester Progressive*, and *Portola Reporter*) and at the Park.
- Presentations were made by State staff at the public workshop. Written material will be prepared and distributed in advance.
- State staff contact information was included in the notices for anyone with comments or questions.
- Public comments and questions will be received at the workshop, and staff will provide responses. A summary of any comments received and responses will be provided as an attachment to the final application.

RANKING CRITERIA

1. Community Need

- a. Health, Welfare and Environment
- b. Financial Need

2. Project Description and Feasibility of Success

a. Project Description

- i) *Describe proposed project and any previous cleanup activities.*

The JCDDA is open to the public and is handicap accessible. The proposed project will remediate chemical hazards from metals at the JCDDA. The project will reduce the possibility of exposure to metals, such as lead and arsenic, by Park visitors and staff and reduce the possibility of offsite transport of metals from the JCDDA. There have been no previous cleanup activities at the JCDDA.

- ii) *Describe proposed cleanup plan.*

The basic cleanup plan will involve removal of the first foot of soil where required, followed by the placement of filter fabric used as a marker, and the addition of one-foot of clean fill. Revegetation may be employed in some areas. Some streambed stabilization along Jamison Creek may be required or some diversion

of surface water away from the sulphuret tailings may be utilized to prevent erosion. Work will be overseen by State Parks' archeologists.

b. Budget for EPA Funding and Leveraging Other Resources

i) Table: The following table presents the Agency's proposed budget for the grant:

| Budget Categories | Cleanup Planning (RAW) | Community Outreach | Cleanup (RAW Implementation) | Total |
|--------------------------|-------------------------------|---------------------------|-------------------------------------|------------------|
| Personnel | \$8,000 | \$1,200 | \$14,000 | \$23,200 |
| Fringe Benefits | 500 | 50 | 1,000 | 1,550 |
| Travel | 1,000 | 400 | 2,000 | 3,400 |
| Equipment | - | - | - | - |
| Supplies | 500 | 200 | 1,000 | 1,700 |
| Contractual | 31,000 | 1,150 | 138,000 | 170,150 |
| Other | - | - | - | - |
| Total Costs | \$41,000 | \$3,000 | \$156,000 | \$200,000 |
| Cost Share | \$4,000 | \$1,000 | \$35,000 | \$40,000 |

ii) Leveraging

c. Programmatic Capability

The DOC receives and maintains a variety of federal and state grant and/or reimbursement programs. In August 2009, the DOC received from the Bureau of Land Management (BLM) and is managing a \$993,000 award to inventory and remediate physical hazards at abandoned mine sites on BLM lands in California, part of a \$4 million award through 2013. From 2004-8, DOC received and managed a \$456,000 award from the BLM for similar work. In June 2009, the DOC completed a successful chemical remediation project, pursuant to a U.S. Environmental Protection Agency (USEPA) cleanup and abatement order, at Bodie State Historic Park in partnership with State Parks and the USEPA and funded through a \$2 million appropriation by the State Legislature.

3. Community Engagement and Partnerships

a. Plan for Community Involvement

The cleanup for this site will utilize the development of a Removal Action Workplan (RAW) and the attendant public participation requirements for the RAW process. A Community Profile will be developed for the area surrounding the site. Local officials will be briefed, an information repository will be established and a mailing list developed. A Fact Sheet about the draft RAW will be prepared and distributed along with the notice for a formal public meeting. Responses to comments received at the public meeting will be prepared and needed changes to the RAW will be made.

Another public meeting concerning the final RAW will be held with applicable fact sheets and public notice. Another Fact Sheet will be prepared and distributed regarding the design and implementation of the RAW. Following completion of the remediation, a Fact Sheet, public notice and certificate of completion will be prepared and distributed. The Information Repository will be updated as needed and additional public meetings held depending on the level of community interest.

b. Partnerships

Three State agencies--the DOC, State Parks, and DTSC—will partner in this remediation effort. State Parks is also the land owner of the site.

Partner Regulatory Agencies: The DTSC will be the regulatory agency for the project.

c. Community-based Organizations:

Letters of support from these organizations will be included in an Attachment.

4. Project Benefits

a. Welfare and/or Public Health

b. Economic Benefits and/or Greenspace

c. Environmental Benefits from Infrastructure Reuse/Sustainable Reuse

d. Tracking Progress